

Defendant John Lavin, with the assent of Plaintiff CVS Pharmacy, Inc. (“CVS”), respectfully moves the Court to extend the deadline by which Mr. Lavin must respond to CVS’s Complaint until fourteen (14) days following this Court’s decision on CVS’s Motion for Preliminary Injunction. In support of this assented-to motion, Mr. Lavin states:

1. CVS filed its Complaint in this Court on April 22, 2019. ECF No. 1.
2. Counsel for Mr. Lavin accepted service of the Summons and Complaint on April 26, 2019.
3. Pursuant to Fed. R. Civ. P. 12, Mr. Lavin's response to the Complaint is currently due on Friday, May 17, 2019.
4. With this Motion, Mr. Lavin seeks an extension of the deadline to respond to the Complaint until fourteen (14) days following the Court's decision on CVS's Motion for Preliminary Injunction, as Lavin has expended all available resources conducting expedited discovery and preparing briefing in anticipation of the preliminary injunction hearing currently

scheduled for Thursday, May 16, 2019. Accordingly, Mr. Lavin seeks an extension to have sufficient time to prepare an appropriate response to the Complaint.

5. This is Mr. Lavin's first motion for an extension of time and it is not made for the purpose of delay.

6. Counsel for Mr. Lavin conferred with counsel for CVS, who assented to this Motion.

**WHEREFORE**, Mr. Lavin, with CVS's assent, requests that the Court enter an Order extending the deadline for Mr. Lavin to respond to the Complaint until fourteen (14) days following this Court's decision on CVS's Motion for Preliminary Injunction.

Respectfully submitted,

*/s/ Jeffrey C. Johnson*

*/s/Michael R. Creta*

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Dated: May 15, 2019

**CERTIFICATE OF SERVICE**

I, Michael R. Creta, hereby certify that on May 15, 2019, the foregoing document was filed electronically and is available for viewing or downloading from the ECF system. This document was electronically served on the registered participants as identified on the notice of electronic filing (NEF).

/s/ Michael R. Creta